

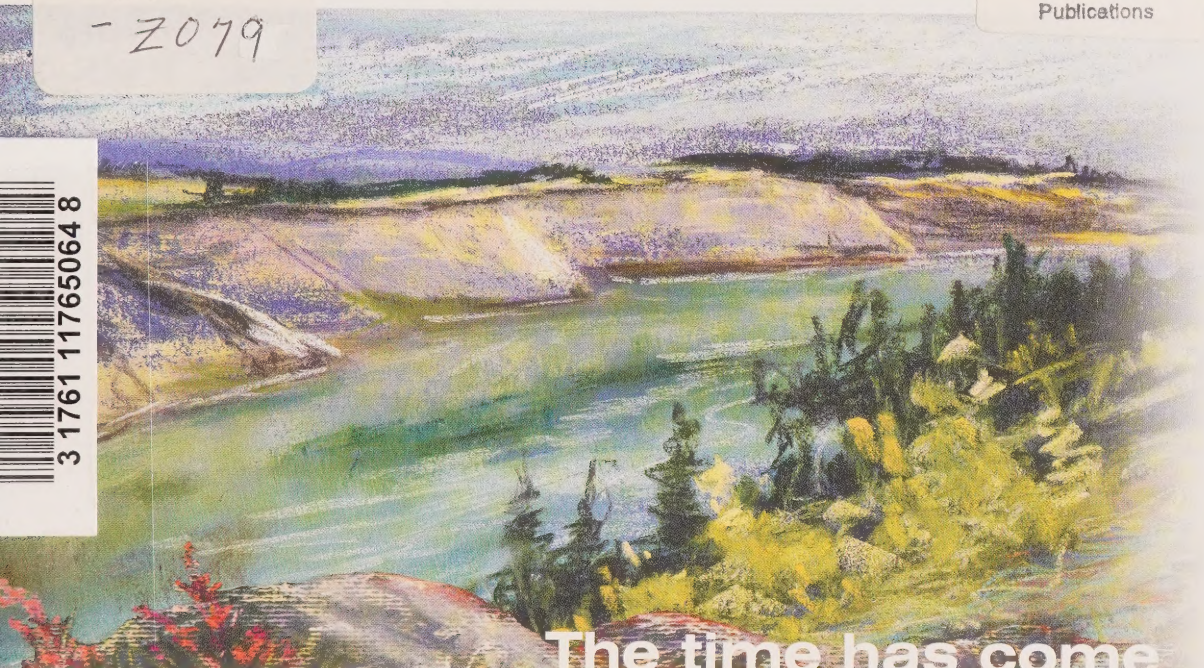
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Yukon Devolution

Government
Publications



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The time has come

1997
1998
1999
2000
2001
2002
2003



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Yukon
Government

Canada

year 1900

Yukon takes over wildlife and game management

On April 1, 2003, the Government of Yukon will take on responsibility for managing the territory's public lands, water, mining resources, forests and environmental assessment—a major step in the Yukon's political and economic development. After April 1, land and resource decisions that affect the territory will be made in the Yukon rather than in Ottawa, enabling local residents to shape their own future.

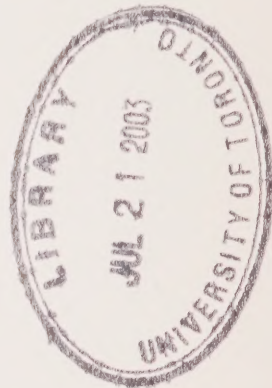
The term *devolution* refers to this formal transfer of authority from the federal government to the Yukon government.

Ever since the territory was established in 1898, the Government of Canada has managed most of the Yukon's lands and resources. While there has been a gradual transfer of responsibility over the years, the real change

began in 1997, when a formal proposal was made to the territorial government regarding the transfer of full authority over natural resources to Yukoners. Since then, Canada, the Yukon and Yukon First Nations have negotiated the details of a Devolution Transfer Agreement which sets out the framework and scope of the transfer, along with the responsibilities of each party.

After April 1, 2003, the Government of Yukon will have the legislative powers associated with managing public lands and resources. It will receive federal funds to run the programs and, in most cases, will hire federal Northern Affairs Program staff to fulfil its new responsibilities.

The Yukon government departments that are likely to be most affected by devolution are Environment; Energy, Mines, and Resources; and Community Services.

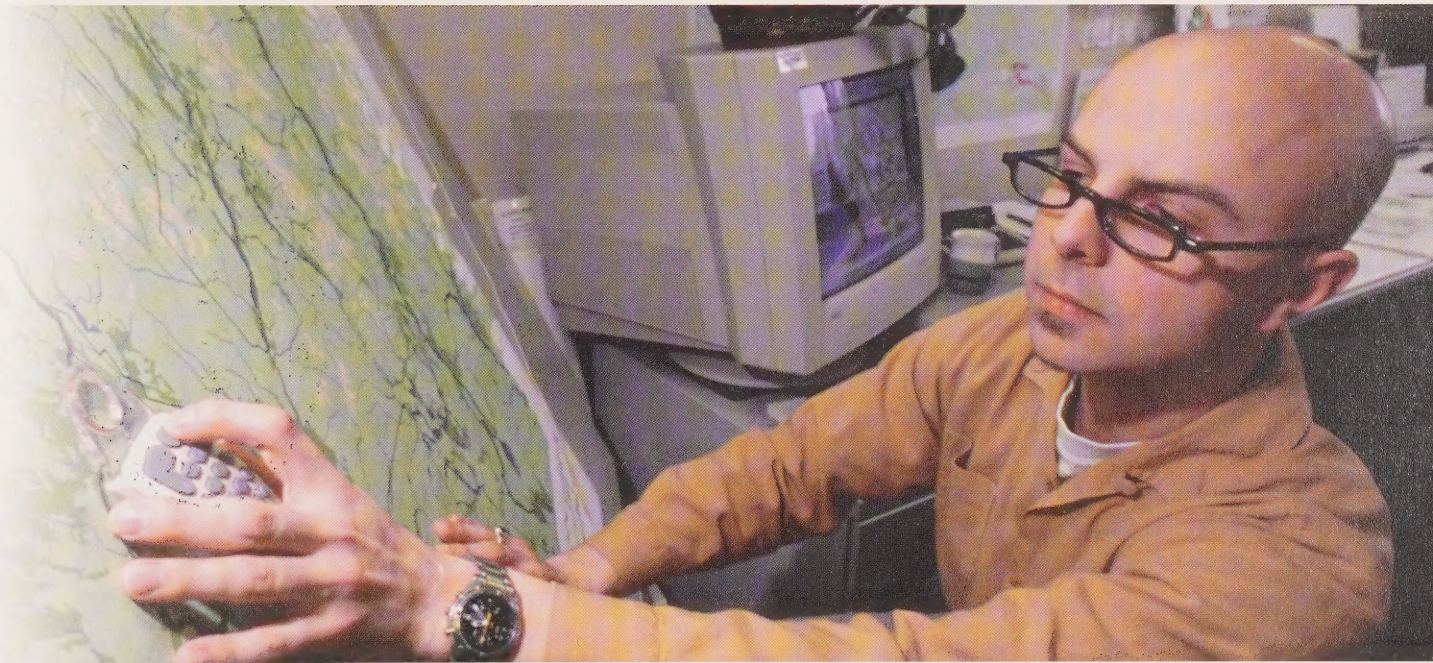


year 1971

Yukon takes over administration of justice

year 1902

Yukon given a Member of Parliament in the House of Commons



year 1972

Yukon takes over Alaska Highway maintenance and part of the sport fishery

year 1975

The Yukon and Northwest Territories each given one Senate appointment through a *British North America Act* amendment

Impact on Yukon Residents

Most Yukoners won't notice any difference at all after April 1, other than new Yukon signs on former federal offices. While some programs and services may be offered in different locations, most will stay right where they are and continue to be delivered by the same staff in the same way as before April 1.

The benefit of devolution to Yukoners is that future changes in policies or program delivery will be made by the Yukon government to meet the needs and concerns of Yukon residents. This will bring the policy makers closer to the people they serve, and will allow the Yukon and First Nation governments to harmonize and coordinate their efforts.

Financial Implications

The Government of Canada will annually provide the Government of the Yukon with about \$33 million to cover the cost of delivering the programs that are being transferred. The federal government will provide another \$25 million over five years to cover one-time transition costs.

These amounts are in addition to the federal grants that are transferred to the Yukon annually through the Canada/Yukon Formula Financing Agreement. In 2001-02, the transfer was about \$352 million.

The federal government will continue to pay a share of the costs for the remediation of contaminated and hazardous sites, including any abandoned major mine sites in the Yukon that have not been adequately closed by their operators.

Under devolution, the Yukon government will also receive administration and control of a large amount of real property and title to other assets, including vehicles, computers, records, files, office furniture, office space, district offices and housing, and adjacent lands used by the Northern Affairs Program.

Since the Yukon government will be managing public lands and natural resources after devolution, it will levy and collect revenue from the use and development of these lands and resources.

The financing agreement allows the Yukon government to keep up to \$3 million annually in resource revenues. A portion of this revenue will be shared with Yukon First Nations under the terms of their final agreements.

year 1981

Yukon takes over administration and control of land titles

year 1979

Yukon Commissioner given new terms of reference, leading to significant changes in the territorial government, including the institution of full responsible government



year 1982

Yukon takes over the agricultural land program, cottage/recreation land program and inland fisheries

year 1985

Yukon takes over grazing land program

What's Being Transferred?

The Yukon government will take over programs currently run by the federal Northern Affairs Program, including:

- Administration and control of public lands and natural resources in the Yukon, except for lands and facilities used by federal programs such as the CBC, RCMP, Department of Public Works and Government Services, Canada Customs and Revenue Agency, Transport Canada, Canada Post Corporation, Parks Canada and Environment Canada.

- Legislative responsibility to make laws regarding public lands and natural resources, including sub-surface interests and rights not included in previous transfers.

- Management of the territory's waters, with the exception of waters within national parks, national park reserves and national wildlife protection areas.

Effective April 1, 2003, the federal government will transfer the ongoing financial resources of its regional Northern Affairs Program to the Yukon, including salaries and benefits. The Yukon government will hire many of the existing program staff.

Northern Affairs Program Activities

The federal Northern Affairs Program currently carries out the following activities:

Land management

Developing and implementing public land use and management legislation and policies throughout the territory.

Water management

Developing and implementing water use legislation, policies and programs, including authorizing, monitoring and enforcing the use of water, collecting hydrometric and water quality data, conducting water supply studies, and making flood predictions.

Mining and minerals administration and management

Administering the mineral resources of the Yukon, including geology, mineral rights, inspections, and mining land use and reclamation; promoting mineral exploration; developing legislation and policies; monitoring industry compliance; issuing mineral rights, permits, licences and leases; conducting geological mapping; monitoring mineral exploration activity; levying mineral royalties and collecting revenues.

year 1989

Yukon takes over Arctic B and C class airports (Old Crow, Dawson City, Mayo, Carmacks, Faro, Ross River, Teslin, Beaver Creek, Burwash and Haines Junction), freshwater fisheries administration and mine safety monitoring and compliance

year 1987

Yukon takes over Northern Canada Power Commission assets, and Yukon Energy Corporation is created to run the facilities



year 1990

Yukon takes over capital responsibility for the following highways: Dempster, South Klondike, Top of the World, North Canol and Nahanni Range Road

year 1992

Yukon takes over maintenance of the Alaska Highway, including the Haines Road (Canadian section), and capital responsibility for the highway between Watson Lake and Haines Junction. The Yukon land registration system is transferred through the Yukon Land Titles Transfer Agreement

Forest management

Taking inventory of and managing Yukon forests; taking responsibility for forest management planning and forest renewal (silviculture); allocating timber cutting permits; administering timber harvesting agreements; determining, levying and collecting forest revenues; protecting forests from insects and diseases; planning and undertaking forest fire suppression, fire-fighting activities and site protection.

Environmental assessment

Carrying out environmental assessments that relate to lands, waters and the development of natural resources.

Legal Details

The Devolution Transfer Agreement is a 250-page document that sets out the operational and contractual details of devolution. It covers everything from employment and property transfers to legislative details such as the need for new federal and territorial legislation.

Under the agreement, a number of federal acts and regulations affecting the Yukon will be repealed and replaced with new territorial legislation. As well, the *Yukon Act* has been rewritten to formally recognize the existence of responsible government in the Yukon and the Yukon Legislative Assembly's new powers and to modernize the act's language. Other federal legislation will also be amended to reflect these changes.

As of April 1, 2003, the Yukon government will pass laws that are identical to and have the same effect as existing federal laws, and the Yukon Legislature will be able to amend or replace those laws as it sees fit.

Devolution and First Nations

Both the federal and the Yukon governments, in consultation with Yukon First Nations, have taken care to ensure devolution is consistent with the Umbrella Final Agreement, and does not affect the rights of First Nations under final and self-government agreements.

The Devolution Transfer Agreement includes provisions to protect the land and resource interests of the Yukon First Nations that do not have final and self-government agreements. These provisions include interim protection against the issuance of third-party interests in future settlement land parcels.

year 1993

Whitehorse General Hospital transfer is completed

year 1993

Oil and Gas Accord signed



year 1996


Whitehorse and Watson Lake airport transfers are completed

year 1997

Yukon takes over remaining federal health programs. Devolution discussions begin with the tabling of a federal proposal: "Transferring Full Authority over Natural Resources to Yukoners--A Formal Proposal from the Government of Canada to Devolve the Northern Affairs Program in the Yukon to the Yukon Government."

Post-devolution, the Department of Indian Affairs and Northern Development will continue to manage Indian and Inuit Affairs Program responsibilities in the Yukon that have not yet been assumed by self-governing First Nations. As final and self-government agreements are finalized, Yukon First Nations will assume responsibility for the administration of programs and services under transfer agreements.

Contaminated and Hazardous Site Remediation




The federal government has committed \$20 million over 10 years under the Devolution Transfer Agreement to continue new remediation at a number of sites identified in the agreement.

DIAND has investigated, inventoried, assessed and prioritized nearly 1,000 sites. About half of these have been cleaned up. A further 250 sites have been assessed to be of no environmental concern and therefore require no action. Of the remaining 250, approximately 150 require some further assessment, while 100 require some level of action.

If the Yukon government or First Nations find contaminated or hazardous sites in future, the parties will determine whether the contamination happened before or after devolution and decide whether or not the remediation should be managed under terms set out in the transfer agreement.

The Road to Devolution



The Government of Canada began shifting responsibilities to the Yukon soon after the territory was created on June 13, 1898. Beginning in 1900, the Yukon has gradually taken on responsibility for everything from wildlife and game management to health care and administration of oil and gas.

Milestones in the Yukon's political and economic development are highlighted throughout this booklet.

year 2002

New Yukon Act receives Royal Assent

year 1998

Yukon takes over oil and gas management on public lands

year 2001

Northern Affairs Program Devolution Transfer Agreement negotiations are concluded by Canada, the Yukon and Yukon First Nations, and legislation is introduced in the federal House of Commons



year 2003

The Yukon government assumes management of public lands, waters, mining, forestry and environmental assessment on April 1

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